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June 4, 2021

By ECF

Hon. Colleen McMahon
United States District Court Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

*Extension of time to answer is
extended until 7/14/2021. Conference
is re-scheduled to 9/9/2021 @ 9:45 am*

Colleen McMahon

Re: Pinto v. City of New York, et al., No. 20-cv-10154- (CM)

6/8/2021

Your Honor:

MEMO ENCLOSED

This office represents the defendants the City of New York, the New York City Police Pension Fund ("the Fund") and the New York City Police Department ("NYPD"). We respectfully submit this letter application seeking an additional 30-day enlargement of the time to answer the complaint and as a result, a corresponding adjournment of the initial pretrial conference scheduled for June 11, 2021 at 10:00 A.M. The time to answer the complaint was previously enlarged by so-ordered stipulation to May 6, 2021 (ECF Dkt. 13), and again by order on letter motion to June 11, 2021 (ECF Dkt. 16). Based on prior communications, Plaintiff's counsel opposes an adjournment.

This application is necessary because counsel for defendants had a setback following hospitalization in April of 2021 and has not been able to work on this matter due to ongoing health issues. In light of the interest of all parties to reach an amicable settlement, defendants again propose that this matter be referred to court-supervised mediation, for further settlement discussions. On the prior application, Plaintiff agreed to a 20-day adjournment of the dates as sufficient time to reach a settlement; however, defendants advised plaintiff the City will need at least several weeks to obtain any Comptroller authority.

Accordingly, defendants respectfully request the initial pretrial conference be adjourned from June 11, 2021 to July 14, 2021, or a date thereafter convenient to the Court, and that the time to answer the complaint be enlarged from June 21, 2021 to July 23, 2021.

Respectfully submitted,

/s/

Jerald Horowitz

Cc: Stephen Drummond